

Message Text

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ORIGIN EB-06

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DRAFTED BY EB/AN:MHSTYLES:VLV

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FM SECSTATE WASHDC

TO AMEMBASSY BANGKOK

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E.O. 11652: N/A

TAGS:EAIR, TH

SUBJECT: CIVAIR CONSULTATIONS

1. PLEASE MAKE FOLLOWING PAN AM LETTER DATED OCTOBER 25
AVAILABLE TO USDEL AND HALE OF PAN AM:

QUOTE. EXISTING AGREEMENT ESTABLISHES EXCHANGE OF RIGHTS
WHICH WAS ACCEPTABLE TO THAILAND WHEN CONCLUDED, AND, IN
FACT, PROVIDES ROUTE OPPORTUNITIES OF EXTRAORDINARY VALUE
TO THAI CARRIERS. STATED BLUNTLY, THAILAND HAS FAILED

HONOR ITS OBLIGATIONS UNDER THIS AGREEMENT. FROM BEGINNING,
THAILAND HAS IMPROPERLY IMPOSED TRAFFIC QUOTAS ON US-FLAG
CARRIAGE. THE FORCED DISCONTINUANCE OF PAN AM FLIGHT 841/
842, AFTER PERIOD OF MONTH-TO-MONTH AUTHORIZATIONS, WAS
UNUSUALLY CRUDE APPLICATION OF PRESSURE TAKING INTO
ACCOUNT THAT SERVICE IS PLAINLY AUTHORIZED UNDER AGREEMENT,
IS ESSENTIALLY NON-COMPETITIVE WITH THAI AIRLINE SERVICES,
AND TOUCHES ONLY ONE THIRD-COUNTRY POINT.

THIS PROVIDES AN UNREAL ATMOSPHERE FOR NEGOTIATIONS DESIGNED
TO AMEND AGREEMENT TO PROVIDE EVEN MORE AUTHORITY FOR THAI
CARRIERS. ASIDE FROM UNDESIRABLE PRECEDENT OF YIELDING TO
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SUCH PRESSURES WHICH WOULD RESULT IN GRANT OF NEW ROUTES

TO THAILAND SIMPLY TO ENABLE U.S. KEEP WHAT IT IS ALREADY ENTITLED TO, THERE CAN BE NO ASSURANCE THAT THAILAND WILL

HONOR NEW AGREEMENT, IF IT SUCCEEDS IN EXTRACTING NEW BENEFITS FOR VIOLATING EXISTING ONE.

PAN AM BELIEVES U.S. DELEGATION SHOULD TAKE POSITION IN THESE NEGOTIATIONS THAT IT IS NOT PREPARED DISCUSS ANY REVISION OF AGREEMENT UNTIL FLIGHT 841/842 IS REINSTATED. QUOTA RESTRICTIONS HERETOFORE APPLIED BY THAILAND HAVE BEEN IN EXISTENCE FOR SOME YEARS, AND ALTHOUGH THESE ARE EQUALLY VIOLATION OF AGREEMENT, THEY COULD BE ACCEPTED ON DE FACTO BASIS, PENDING RENEGOTIATION OF AGREEMENT ITSELF. IT SHOULD BE CLEAR TO THAILAND, HOWEVER, THAT MORE STRINGENT QUOTAS OR OTHER RESTRICTIONS CANNOT BE IMPOSED OTHER THAN PURSUANT TO AGREED BILATERAL ARRANGEMENTS.

IF AND WHEN THAILAND IS PREPARED DISCHARGE ITS OBLIGATIONS CONSIDERATION CAN BE GIVEN TO RESTRUCTURING OF AGREEMENT. IN SUCH RENEGOTIATION, U.S. POSITION SHOULD BE FOUNDED ON ASSUMPTION THAT TWA WILL BE SUSPENDING SERVICE AT BANGKOK, AND THAT NO ADDITIONAL ROUTE RIGHTS SHOULD BE GRANTED TO THAI CARRIERS EITHER AT GUAM OR AMERICAN SAMOA. IN ORDER ENABLE BOTH PARTIES NEGOTIATE ON BASIS OF FACTS RATHER THAN HYPOTHESIS, IT WOULD BE HIGHLY DESIRABLE DEFER SUCH A RENEGOTIATION FOR SIX MONTHS. IN ADVANCE OF THAT TIME, WE WILL BE PREPARED PROVIDE OUR RECOMMENDATIONS REGARDING HOW U.S. ROUTE SCHEDULE MIGHT BE ADJUSTED TO INTRODUCE SOMEWHAT GREATER SPECIFICITY AND DELETE AUTHORITY WHICH MAY NO LONGER BE REQUIRED. END QUOTE.

2. DEPTOFF (STYLES) HAS TOLD PA WE CONSIDER FOREGOING POSITION TOTALLY UNREALISTIC. INGERSOLL

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